

JS 44C/SDNY  
REV.  
10/01/2020

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS  
Bilal Smith

DEFENDANTS  
Metropolitan Transportation Authority  
Metropolitan Transportation Authority Police Department  
Police Officer M. Griggs; John and Jane Does-Police Officers as yet

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Rubenstein & Rynecki, Esqs.  
16 Court Street, Suite 1717  
Brooklyn New York 11241  
(718) 522-1020

ATTORNEYS (IF KNOWN)  
Steve S. Efron  
237 West 35th Street - Suite 1502  
New York, New York 10001 (212) 867-1067

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

42 U.S.C. Sec. 1983 Deprivation of Civil Rights

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[ ] 368 ASBESTOS PERSONAL			[ ] 410 ANTITRUST
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT			[ ] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY	<b>PROPERTY RIGHTS</b>		[ ] 450 COMMERCE
ENFORCEMENT	LIABILITY		[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 460 DEPORTATION
OF JUDGMENT	[ ] 340 MARINE	<b>PERSONAL PROPERTY</b>	[ ] 830 PATENT		[ ] 470 RACKETEER INFLU-
MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 370 OTHER FRAUD	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ENCED & CORRUPT
[ ] 151 RECOVERY OF	LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK		ORGANIZATION ACT
DEFAULTED	[ ] 350 MOTOR VEHICLE				(RICO)
STUDENT LOANS	[ ] 355 MOTOR VEHICLE				[ ] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY				[ ] 485 TELEPHONE CONSUMER
[ ] 153 RECOVERY OF	[ ] 360 OTHER PERSONAL	[ ] 380 OTHER PERSONAL	<b>LABOR</b>	<b>SOCIAL SECURITY</b>	PROTECTION ACT
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[ ] 601 HIA (1395ff)		
OF VETERAN'S	[ ] 362 PERSONAL INJURY -	PRODUCT LIABILITY	[ ] 602 BLACK LUNG (923)		
BENEFITS	MED MALPRACTICE		[ ] 603 DIWC/DIWW (405(g))		[ ] 490 CABLE/SATELLITE TV
[ ] 160 STOCKHOLDERS		<b>PRISONER PETITIONS</b>	[ ] 710 FAIR LABOR		[ ] 850 SECURITIES/
SUITS		[ ] 463 ALIEN DETAINEE	STANDARDS ACT		COMMODITIES/
[ ] 190 OTHER		[ ] 510 MOTIONS TO	[ ] 720 LABOR/MGMT		EXCHANGE
CONTRACT		VACATE SENTENCE	RELATIONS		[ ] 890 OTHER STATUTORY
[ ] 195 CONTRACT	<b>ACTIONS UNDER STATUTES</b>	28 USC 2255	[ ] 740 RAILWAY LABOR ACT	<b>FEDERAL TAX SUITS</b>	ACTIONS
PRODUCT	<b>CIVIL RIGHTS</b>	[ ] 530 HABEAS CORPUS	[ ] 751 FAMILY MEDICAL	[ ] 870 TAXES (U.S. Plaintiff or	[ ] 891 AGRICULTURAL ACTS
LIABILITY		[ ] 535 DEATH PENALTY	LEAVE ACT (FMLA)	Defendant)	[ ] 893 ENVIRONMENTAL
[ ] 196 FRANCHISE	<input checked="" type="checkbox"/> 440 OTHER CIVIL RIGHTS	[ ] 540 MANDAMUS & OTHER	[ ] 790 OTHER LABOR	[ ] 871 IRS-THIRD PARTY	MATTERS
	(Non-Prisoner)		LITIGATION	26 USC 7609	[ ] 895 FREEDOM OF
			[ ] 791 EMPL RET INC		INFORMATION ACT
			SECURITY ACT (ERISA)		[ ] 896 ARBITRATION
<b>REAL PROPERTY</b>	[ ] 441 VOTING	<b>PRISONER CIVIL RIGHTS</b>	<b>IMMIGRATION</b>		[ ] 899 ADMINISTRATIVE
[ ] 210 LAND	[ ] 442 EMPLOYMENT	[ ] 550 CIVIL RIGHTS	[ ] 462 NATURALIZATION		PROCEDURE ACT/REVIEW OR
CONDEMNATION	[ ] 443 HOUSING/	[ ] 555 PRISON CONDITION	APPLICATION		APPEAL OF AGENCY DECISION
[ ] 220 FORECLOSURE	ACCOMMODATIONS	[ ] 560 CIVIL DETAINEE	[ ] 465 OTHER IMMIGRATION		[ ] 950 CONSTITUTIONALITY OF
[ ] 230 RENT LEASE &	[ ] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	ACTIONS		STATE STATUTES
EJECTMENT	DISABILITIES -				
[ ] 240 TORTS TO LAND	EMPLOYMENT				
[ ] 245 TORT PRODUCT	[ ] 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[ ] 290 ALL OTHER	[ ] 448 EDUCATION				
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?  
IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

## ORIGIN

- ☐ 1 Original Proceeding
 ☒ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
 ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [ ] 3	DEF [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4	[ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Bilal Smith - Bronx County NY

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Metropolitan Transportation Authority - 2 Broadway, New York NY

Metropolitan Transportation Authority Police Department - 420 Lexington Ave. NY NY

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Police Officer M. Griggs

John and Jane Does-Police Officers as yet unidentified

## COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE 6/16/2022 Steve S. Efron

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

[x] YES (DATE ADMITTED Mo. January Yr. 1980 )

Attorney Bar Code # SE1234

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)